

MESSAGE NO: 4272304

MESSAGE DATE: 09/29/2014

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-977, C-570-978

EFFECTIVE DATE: 12/15/2011

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping and countervailing duty scope determination on high pressure steel cylinders from the People's Republic of China (A-570-977 and C-570-978)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Lenz Sales and Dist., Inc. ("Lenz"). Commerce issued a final scope determination on 09/12/2014 that Lenz's certain filled cylinders with pressurized refrigerants marked with DOT 39 which Lenz imports is not within the scope of the antidumping and countervailing duty orders on high pressure steel cylinders from the People's Republic of China (A-570-977 and C-570-978).
2. Commerce determined that Lenz's certain filled cylinders with pressurized refrigerants are outside the scope of the order because Lenz's cylinders are marked with DOT 39. The plain language of scope of the antidumping and countervailing duty orders on high pressure steel cylinders from the People's Republic of China states that merchandise impressed with certain specified DOT type markings is covered by the scope; however, a DOT 39 marking is not among the DOT markings specified in the scope. Therefore, certain filled cylinders with pressurized refrigerants marked with DOT 39 are not within the scope of the antidumping and countervailing duty orders on high pressure steel cylinders from the People's Republic of China.
3. For all entries of high pressure steel cylinders not within scope that remain unliquidated on or after 12/15/2011, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits relating to certain filled cylinders with pressurized refrigerants marked with DOT 39 described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of certain filled cylinders with pressurized refrigerants marked with DOT 39 entered, or withdrawn from warehouse, for consumption on or after 12/15/2011.

6. The assessment of antidumping and countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping and countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping and countervailing duties before the date of publication of the antidumping and countervailing duty order. Interest shall be calculated from the date payment of estimated antidumping and countervailing duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of high pressure steel cylinders from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated antidumping and countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:AJM.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party